

In re Application of

Wayne A. Wagner

Appl. No. 10/608,131

Filed: June 30, 2003

For: EXCAVATOR TEETH, APPARATUS  
AND METHODS

Atty. Dkt. No.: 3223.045

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT

Now come Applicants and make the following Information Disclosure Statement  
in accordance with 37 CFR Sec. 1.97 and Sec. 1.56.

The relevant references of which Applicants are aware are as follows, and are more appropriately listed on the PTO-1449 form attached hereto:

<u>U.S. PATENT NO.</u>	<u>INVENTOR</u>	<u>ISSUED</u>
2,285,455	Newell	06/09/42
3,113,390	Pewthers	12/10/63
3,736,676	Sturgeon	06/05/73
3,805,423	Engel et al.	04/23/74
3,882,594	Jackson et al.	05/13/75
4,027,409	Stepe	06/07/77
4,028,823	Edwards et al.	06/14/77
4,037,337	Hemphill	07/26/77
4,098,013	Hemphill	07/04/78
4,117,611	Hemphill	10/03/78
4,123,861	Hemphill	11/07/78

4,133,121	Hemphill	01/09/79
4,170,267	Bourlier	10/09/79
4,320,925	Bowes, Jr.	03/23/82
4,449,309	Hemphill	05/22/84
4,476,641	Ballinger	10/16/84
4,476,642	Hemphill	10/16/84
4,671,000	Kim	06/09/87
4,891,893	Bowes, Jr.	01/09/90
5,067,262	Stiffler et al.	11/26/91
5,081,774	Kuwano	01/21/92
5,111,600	Lukavick et al.	05/12/92
5,495,685	Labutin et al.	05/05/96
5,502,905	Cornelius et al.	04/02/96
5,525,167	McVicker	06/11/96
5,526,593	Coppage	06/18/96
5,579,594	Pasqualini et al.	12/03/96
5,595,614	McVicker	01/21/97
5,617,655	Lauder et al.	04/08/97
5,638,621	Keech et al.	06/17/97
5,653,048	Jones et al.	08/05/97
5,743,033	Gegel	04/28/98
5,865,557	Kasim	02/02/99
5,937,550	Emrich	08/17/99
5,992,062	Evans et al.	11/30/99
6,000,153	Sollami	12/14/99
6,047,487	Clendenning	04/11/2000
6,079,132	Clendenning	06/27/2000
6,207,294	Rutter	03/27/01
6,247,255	Clendenning	06/19/01
6,311,417	Pratt	11/06/01
Re.33,198	Ballinger	04/17/90

#### FOREIGN

CA 1,143,151 (1983)  
 JP 2001-159157 (2001)  
 JP 08-218446 (1996)  
 SE 8,200,607 (1986)  
 SU 125,442 (1984)

#### OTHER


- “Lukens Hardwear Steals™” Product Information Sheet(s)
- *Machine Design* article “At the Cutting Edge,” May 1981
- Material Specifications Display of (Oliver Steel Plate Co.) “Formable 400 Abrasion Resistant Alloy Plate” dated February 27, 1996

- Property Card for USS "T<sub>1</sub> Construction Alloy Steels" dated September 1976 (8 pages)
- Technical Data Sheet for "Ultra-Tuff Plate" dated 1998
- USS "Abrasion-Resistant Steels" Product Information Sheet(s) dated October 1988
- XP 000699694, August 1997 (1 page)

A copy of each of these references accompanies this I.D.S. As documents, they speak for themselves and, as such, Applicants request that the Examiner carefully study them.

Respectfully Submitted,

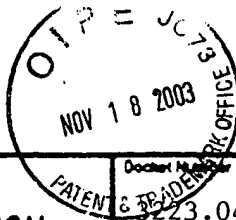
Date: **11-4-03**



Name: Wayne A. Wagner

Title: Inventor

Attachments



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Sheet 1 of 4

Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)

3223.045

Application Number

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Applicant

Wayne A. Wagner

Filing Date

June 30, 2003

Group Art Unit

## U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED DATE IF APPROPRIATE
	2 2 8 5 4 5 5	6/9/42	Newell			
	3 1 1 3 3 9 0	12/10/63	Pewthers			
	3 7 3 6 6 7 6	6/5/73	Sturgeon			
	3 8 0 5 4 2 3	4/23/74	Engel et al.			
	3 8 8 2 5 9 4	5/13/75	Jackson et al.			
	4 0 2 7 4 0 9	6/7/77	Stepe			
	4 0 2 8 8 2 3	6/14/77	Edwards et al.			
	4 0 3 7 3 3 7	7/26/77	Hemphill			
	4 0 9 8 0 1 3	7/4/78	Hemphill			
	4 1 1 7 6 1 1	10/3/78	Hemphill			
	4 1 2 3 8 6 1	11/7/78	Hemphill			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	1 1 4 3 1 5 1	1983	CA				
	1 5 9 1 5 7	2001	JP				
	2 1 8 4 4 6	1996	JP				
	8 2 0 0 6 0 7	1986	SE				
	1 2 5 4 4 2	1984	SU				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Lukens Hardwear Steals <sup>TM</sup> " Product Information Sheet(s)
	Machine Design article "At the Cutting Edge", May 1981
	Material Specifications Display of (Oliver Steel Plate Co.) "Formable 400 Abrasion Resistant Alloy Plate" dated February 27, 1996
	Property Card for USS "T1 Construction Alloy Steels" dated September 1976 (8 pages)
	Technical Data Sheet for "Ultra-Tuff Plate" dated 1998
	USS "Abrasion-Resistant Steels" Product Information Sheet(s) dated October 1988

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449

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Sheet 2 of 4

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	4 1 3 3 1 2 1	1/9/79	Hemphill			
	4 1 7 0 2 6 7	10/9/79	Bourlier			
	4 3 2 0 9 2 5	3/23/82	Bowes, Jr.			
	4 4 4 9 3 0 9	5/22/84	Hemphill			
	4 4 7 6 6 4 1	10/16/84	Ballinger			
	4 4 7 6 6 4 2	10/16/84	Hemphill			
	4 6 7 1 0 0 0	6/9/87	Kim			
	4 8 9 1 8 9 3	1/9/90	Bowes, Jr.			
	5 0 6 7 2 6 2	11/26/91	Stiffler et al.			
	5 0 8 1 7 7 4	1/21/92	Kuwano			
	5 1 1 1 6 0 0	5/12/92	Lukavick et al.			

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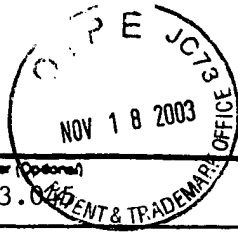
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	XP 000699694, August 1997 (1 page)

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	5 4 9 5 6 8 5	5/5/96	Labutin et al.			
	5 5 0 2 9 0 5	4/2/96	Cornelius et al.			
	5 5 2 5 1 6 7	6/11/96	McVicker			
	5 5 2 6 5 9 3	6/18/96	Coppage			
	5 5 7 9 5 9 4	12/3/96	Pasqualini et al.			
	5 5 9 5 6 1 4	1/21/97	McVicker			
	5 6 1 7 6 5 5	4/8/97	Launder et al.			
	5 6 3 8 6 2 1	6/17/97	Keech et al.			
	5 6 5 3 0 4 8	8/5/97	Jones et al.			
	5 7 4 3 0 3 3	4/28/98	Gegel			
	5 8 6 5 5 5 7	2/2/99	Kasim			

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(2-92)

Sheet 4 of 4

<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"> <small>Doclet Number (Optional)</small>  <b>3223.045</b> </td> <td style="width: 50%;"> <small>Application Number</small>  <b>10/608,131</b> </td> </tr> <tr> <td colspan="2"> <small>Applicant</small>  <b>Wayne A. Wagner</b> </td> </tr> <tr> <td> <small>Filing Date</small>  <b>June 30, 2003</b> </td> <td> <small>Group Art Unit</small>  </td> </tr> </table>	<small>Doclet Number (Optional)</small> <b>3223.045</b>	<small>Application Number</small> <b>10/608,131</b>	<small>Applicant</small> <b>Wayne A. Wagner</b>		<small>Filing Date</small> <b>June 30, 2003</b>	<small>Group Art Unit</small> 
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	6 0 7 9 1 3 2	6/27/2000	Clendenning			
	6 2 0 7 2 9 4	3/37/01	Rutter			
	6 2 4 7 2 5 5	6/19/01	Clendenning			
	6 3 1 1 4 1 7	11/06/01	Pratt			
	R e 3 3 1 9 8	4/17/90	Ballinger			

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